

### **REMARKS/ARGUMENTS**

Applicants have carefully reviewed the Office Action mailed on July 28, 2006. Applicants respectfully traverse all objections, rejections, and assertions made by the Examiner. Claims 41-56 remain pending.

#### **Claims Rejections under 35 U.S.C. § 102**

Claims 41-53 are rejected under 35 U.S.C. § 102(b) as being anticipated by Parisi et al. (US 2001/0027310). The Examiner indicated that Parisi et al. discloses a metallic filament that is treated through laser ablation to increase the surface area as shown in Figure 5. Applicants respectfully disagree. Parisi et al. discloses at lines 5-13 of paragraph 40 that:

[t]he desired depth of ablation by the laser is controlled by the amount of time the laser is in contact with the polymeric material. The laser then proceeds ablating along the length of catheter shaft 11 until a support member layer filament 30 is encountered. Once filament 30 is encountered, the laser does not have sufficient contact time or energy to affect the support member material, so the remaining surface follows the contour of the filament 30, thus effectively reducing the depth of the ablation.

This passage indicates that the laser ablation disclosed by Parisi et al. not only fails to teach or suggest the claimed modifications to the claimed reinforcing member (or metallic filaments as recited in claims 48-52), it has no affect whatsoever on the support member material. Thus, Parisi et al. does not appear to teach or suggest (a) treating at least the portion of the surface of the one or more metallic filaments to provide a final surface area that is greater than the initial surface area (as recited by independent claim 41), (b) a reinforcing member including a metallic filament that includes a surface that includes a portion that has been treated to provide an increased surface area relative to a surface area of the portion prior to treatment (as recited by independent claim 48), or (c) a metallic reinforcing member including a surface, wherein at least a portion of the surface has been treated to provide an increased surface area relative to a surface area of the portion prior to treatment (as recited by independent claim 53). Accordingly, claims 41, 48, and 53 as well as those claims depending therefrom are believed to

be patentable over Parisi et al. Applicants respectfully submit that these remarks overcome the rejection.

**Claims Rejections under 35 U.S.C. § 103**

Claims 54-56 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parisi et al. in view of Ozasa (US 2002/0143384). Regarding claim 54, as indicated above, Parisi et al. does not appear to teach or suggest a braid including a plurality of metallic braid filaments that each include a surface that is chemically etched to provide a roughened surface. Indeed, the passage of Parisi et al. referenced above teaches away from any sort of modification to a metallic braid filament. Because of this, there cannot be any motivation to combine the chemical etching that is apparently disclosed by Ozasa with the teachings of Parisi et al. to defeat the patentability of claim 54. As such, the rejection of claim 54 should be withdrawn in due course.

Regarding claims 55-56, claim 41 is believed to be patentable over Parisi et al. for the reasons set forth above. Furthermore, Parisi et al. teaches away from treating at least the portion of the surface of the one or more metallic filaments to provide a final surface area that is greater than the initial surface area and, consequently, from combining the teachings of Parisi et al. with Ozasa to arrive at the claimed invention. Accordingly, claim 41 is believed to be patentable over the cited references. Because claims 55-56 depend from claim 41, they are also patentable for the same reasons and because they add significant elements to distinguish them further from the art.

**Conclusion**

Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,  
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By his attorney,

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